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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

(San Jose Division)

ILLINOIS COMPUTER RESEARCH,
LLC,

Plaintiff and Counterclaim
Defendant,

v.

FISH & RICHARDSON P.C.,

Defendant, Counterclaimant and
Third-Party Plaintiff,

v.

SCOTT C. HARRIS,

Third-Party Defendant and
Counterclaimant,

v.

FISH & RICHARDSON P.C.,

Defendant, Counterclaimant,
Third-Party Plaintiff and
Counterclaim Defendant.

Case No. CV08-80074 MISC.

[Action pending in the United States District Court
for the Northern District of Illinois as Case No. 07 C
5081]

**DECLARATION OF KAREN L. BLOUIN IN
SUPPORT OF *EX PARTE* APPLICATION BY
ILLINOIS COMPUTER RESEARCH LLC AND
SCOTT C. HARRIS PURSUANT TO LOCAL
RULE 6.3 FOR ORDER SHORTENING TIME
FOR HEARING ON MOTION OF ILLINOIS
COMPUTER RESEARCH LLC AND SCOTT C.
HARRIS UNDER FED.R.CIV.P. 45 TO
COMPEL RICHARD FRENKEL'S
DEPOSITION AND DOCUMENT
PRODUCTION IN APRIL 2008**

1 I, KAREN L. BLOUIN, declare and state as follows:

2 1. I am an attorney in the law firm of Niro, Scavone, Haller & Niro. I am an attorney
3 of record for Illinois Computer Research LLC and Scott C. Harris.

4 2. ICR has filed a tortious interference claim against Fish & Richardson P.C.

5 3. ICR seeks a limited deposition of Richard Frenkel to establish the acts that he
6 performed and his relationship with Fish. The deposition is limited to specific topics concerning
7 information uniquely in the possession of Mr. Frenkel that is directly relevant to ICR's tortious
8 interference claim against Fish.

9 4. Initial expert reports on the tortious interference claims are due on June 30, 2008.
10 ICR sought the deposition of Mr. Frenkel in April so that it could incorporate his testimony into
11 ICR's expert reports that are due in June.

12 5. Hearing the Motion to Compel on a regular briefing schedule may lead to Mr.
13 Frenkel's deposition being scheduled in June and will cause ICR substantial harm.

14 6. ICR conferred with counsel for Mr. Frenkel and Cisco Systems, Inc. through
15 phone calls and email, but agreement on a date for a hearing could not be reached.

16 I declare under penalty of perjury under the laws of the State of Illinois that the foregoing
17 is true and correct. Executed on April 11, 2008.

18 Karen L. Blouin /s/
19 Karen L. Blouin
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